

EXHIBIT A

have resulted directly or indirectly from the presence of said mailbox support structure. This includes damage to the support structure. The hold-harmless and indemnification protection shall also extend to whomever supplies snowplowing services to the Village, such as the Town of Ramapo and its Highway Department.

- F. Time limit for compliance of existing support structures. Mailbox support structures existing as of the effective date of this section must be brought up to compliance on or before August 2008. After expiration of said grandfathering period, without compliance, the owner of said structure shall be subject to prosecution for maintaining an unlawful structure in a Village right-of-way.
- G. Mailbox structures in state or county rights-of-way; applicability. The Village does not hereby purport to authorize the placement of mailbox support structures in state or county rights-of-way. However, upon the provision by the applicant of written permission from the state or county, the Building Inspector is authorized to issue a building permit, oversee construction, and issue a certificate of use for same. For the purposes of this section, simple mailbox support posts not exceeding eight inches in any horizontal dimension and not erected on a footing versus being held in position by cement or the equivalent shall not be considered mailbox support structures regulated hereby.

§ 210-9 (Reserved)

Article III. Use Regulations

§ 210-10. General requirements.

The general requirements affecting the use of buildings, structures and land for each of the districts established by Article **II** are hereby established and set forth in this article.

§ 210-11. Scope.

The following sections specify all uses permitted by right as well as all special permit uses and accessory uses.

§ 210-12. Utilization of use regulations.

Any use not identified as a permitted use, special permit use or accessory use shall be deemed prohibited. Any use indicated as special permit use shall be deemed prohibited unless approved in a manner specified by this chapter. Where special permit uses are identified by generic word or description, the Planning Board shall determine whether a specific use shall be construed to be part of such generic class. In making such determination, the Planning Board shall consider to what extent the proposed use is like, in land use impacts, the class of use indicated in the list.

§ 210-12.1. Residential places of assembly.

- A. Legislative intent. The Village Board of the Village of Airmont finds and determines that in order to promote individual constitutional rights to freedom of religion, freedom of assembly and the protection of the health, safety and welfare of its citizens, the Village Board has established residential places of assembly as accessory uses permitted by special permit to a one-family detached residence in any residential district in the Village of Airmont, subject to the requirements of this section of the Zoning Code. Residential places of assembly are not intended to permit commercial uses or schools of public, special or religious instruction.

B. Regulations and application. A Residential Place of Assembly as defined herein is a special permit use subject to site plan review pursuant to §210-73 Site Development Plan Review of the Zoning Code.

(1) Applications for a residential place of assembly shall apply to the establishment of an accessory use to a single-family detached residence that shall not exceed the 40% of the gross floor area of a residence.

(a) This calculation includes places where associated activities are carried out such as bathrooms, meeting rooms, lobby areas and/or other accessory facilities used primarily in conjunction with the residential place of assembly.

(2) Use. A residential place of assembly is an accessory use where organizations or loose-affiliations of likeminded people conduct civic, social or religious activities more than three (3) times per month.

(3) Parking. In addition to off-street parking required for the residence, additional off-street parking for any residential place of assembly shall be provided at the rate of one parking space for every 200 square feet of gross floor area for the residential place of assembly, or 1 space per 3 seats, whichever is greater

(a) The Planning Board, during site plan review, may require that more parking be included if existing conditions indicate the need.

(b) No vehicle shall be parked or stored in any required yard or fire lane, pursuant to Section 210-48 of this code.

(4) Any signage or lighting shall be consistent with the requirements set forth for the zoning district in which the residential place of assembly is located as per Article VIII, Signs and in accordance with §210-87 Exterior Lighting. This shall be reviewed by the Architectural Review Committee pursuant to **Article I, Chapter 5** of the Village Code in order to ensure that all structures shall be compatible with the character of the surrounding neighborhood.

(5) Facilities such as public baths, schools, and classrooms shall be deemed separate uses and are not permitted in an accessory residential place of assembly.

(6) No space within the residential place of assembly may be rented out, utilized by non-members or used for meetings or functions not directly associated with the approved accessory use.

(7) Use of any outdoor areas of the property shall be strictly limited to parking and passive recreation use, a small jungle gym for children, benches and picnic tables.

(8) No accessory cooking facilities or catering facilities are permitted, other than residential cooking facilities.

(9) Buffers. A landscaped buffer with a minimum dimension of the respective required setback for the district shall be required as condition of approval for any special permit principal or accessory use in or directly adjacent to a residential zoning district where such uses may adversely affect the residential character of the neighborhood. Such buffer area may be reduced where local conditions warrant and substitute measures are prescribed for the protection of neighboring properties or where adjacent use is similar to that proposed special permit use approval.

(10)

(11) The plan shall also demonstrate compliance with all applicable laws, statutes, rules and/or regulations, including, but not limited to, the New York State Building and Fire Codes.

- (12) A narrative summary shall be submitted, providing the anticipated number of members, square footage of the residential and worship spaces, days and hours of services, and number of parking spaces provided.
- (13) Compliance. Failure to comply with any provision of this Section shall be deemed a violation of this Chapter and may result in revocation of the Special Use Permit upon hearing of the Planning Board, and/or any appropriate enforcement proceeding available under any local or State law, ordinance or regulation.
- (14) Except as set forth in this Section, all applications for residential places of assembly shall comply with any and all applicable procedures and requirements, including, but not necessarily limited to, Article IX of this chapter (Site Plan Review Procedure), and Chapter 164 of the Village Code (Site Development Plan Regulations).
- (15) All applications for residential places of worship shall be given priority in the scheduling of agenda items and hearings and in rendering of all decisions. That priority will include, but not be limited to, the placement of residential place of worship applications on the Planning Board or CDRC calendar before any other applications can be scheduled to be heard by the Planning Board or CDRC.

§ 210-12.2. Neighborhood places of worship.

- A. Legislative Intent. The Airmont Village Board finds and determines that in order to promote individual constitutional rights to freedom of religion, freedom of assembly and the protection of the health, safety and welfare of its citizens, the Zoning Code establishes neighborhood places of worship as a special permit use by the Planning Board in all zoning districts within the Village of Airmont.
- B. Definition. A neighborhood place of worship shall mean a building or structure on a lot of at least 40,000 square feet, or the required lot area for the underlying residential zoning district, whichever is greater, and that is used exclusively to conduct any form of organized religious ritual, services, or acts of religious praise, honor or devotion.
- C. Regulations and application.
 - (1) Except as set forth herein, the establishment of neighborhood places of worship shall be subject to the requirements of **Articles IX, XI and XII §210-97**, of this chapter and **Chapter 164** of the Village Code.
 - (2) A narrative summary shall be submitted, providing the anticipated number of congregants, square footage of the sanctuary and other dedicated spaces, days and hours of services, and number of parking spaces provided.
 - (3) Issues regarding lighting, signage and design shall be reviewed by the Architectural Review Committee pursuant to §5-10, Article VIII, Signs and 210-87 Exterior lighting of the Village Code, in order to ensure that all structures shall be compatible with the character of the surrounding neighborhood.